

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

10 MICHAEL WOLF,)
11 Plaintiff,) No. CV-10-00063-JPH
12 v.) ORDER GRANTING STIPULATED
13 MICHAEL J. ASTRUE,) MOTION TO REMAND
14 Commissioner of Social)
Security,)
15 Defendant.) (Ct. Rec. 22)

The parties have filed a stipulated motion for remand of this case to the Commissioner for further administrative proceedings (**Ct. Rec. 22**). They have consented to proceed before a magistrate judge (**Ct. Rec. 8**).

After considering the stipulation, **IT IS ORDERED** that the above-captioned case is reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g). Upon remand, the Administrative Law Judge will conduct a de novo hearing; further evaluate and address the opinions of Drs. Pulakos, Ng, and Sanford; further consider the treatment notes from the University of Idaho Total Health Clinic; and indicate the weight given to the opinions of Drs. Burr, Rehnberg, Von Moltke, and Alexander, in accordance with 20

1 C.F.R. §§ 404.1527, 416.927.

2 Because this remand is pursuant to sentence four of 42 U.S.C.
3 § 405(g) with a remand of the cause to the Commissioner for
4 further proceedings (*See, Melkonyan v. Sullivan*, 501 U.S. 89
5 (1991)), the parties agree plaintiff is entitled to reasonable
6 attorney's fees and costs pursuant to 28 U.S.C § 2412(a),(d), upon
7 proper request to this Court.

8 Accordingly, this court **reverses** the Commissioner's decision.

9 **IT IS FURTHER ORDERED:**

10 1. The parties' stipulated motion for an order of remand
11 (**Ct. Rec. 22**) is **GRANTED**.

12 2. Judgment shall be entered for the **PLAINTIFF**.

13 3. An application for attorney fees and costs may be
14 filed by separate motion.

15 4. The District Court Executive is directed to enter
16 this Order, forward copies to counsel, and **close** this file.

17 **IT IS SO ORDERED.**

18 **DATED** this 28th day of March, 2011.

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20 *s/James P. Hutton*
21 JAMES P. HUTTON
22 UNITED STATES MAGISTRATE JUDGE
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